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Attorneys for Plaintiff REGINA DAL POGGETTO

**UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA**

REGINA DAL POGGETTO,

Plaintiff,

vs.

OMNI WINDOW SYSTEMS, INC., a California
 Corporation; OMNI MADISON, INC., a California
 Corporation; ROBERT G. BENTLEY, an individual,

Defendants.

NO. C 05 3990 MMC

**STIPULATION OF DISMISSAL AS TO
 DEFENDANT OMNI WINDOW SYSTEMS,
 INC. ONLY; ~~PROPOSED~~ ORDER
 THEREON [F.R.C.P. 41(a)(1)]**

WHEREAS, Plaintiff served Defendant OMNI WINDOW SYSTEMS, INC. on October 12, 2005, by
 serving Defendant ROBERT G. BENTLEY;

WHEREAS, Counsel for Defendant OMNI MADISON, INC. has advised that OMNI WINDOW
 SYSTEMS, INC. was the prior entity of the business until the purchase of said business by Defendant
 ROBERT G. BENTLEY and therefore OMNI WINDOW SYSTEMS, INC. should be dismissed from this
 litigation with prejudice;

WHEREAS, Defendant OMNI WINDOW SYSTEMS, INC. has not answered the complaint nor plead
 in any other manner and is not being represented by counsel for Defendant OMNI MADISON, INC.;

IT IS HEREBY STIPULATED by and between the parties to this action through their designated

counsel that Defendant OMNI WINDOW SYSTEMS, INC. be and hereby is dismissed with prejudice pursuant to F.R.C.P. 41(a)(1), with each party bearing their respective attorneys' fees and costs.

DATED: May 1, 2006

LAW OFFICES OF LUCIUS A. COOPER
A Professional Corporation

By: /s/
BETH W. MORA
Attorneys for Plaintiff
REGINA DAL POGGETTO

DATED: May 1, 2006

SIMPSON, GARRITY & INNES, PC

By: /s/
MARC L. JACUZZI, ESQ.
Attorneys for Defendants
ROBERT G. BENTLEY and
OMNI MADISON, INC.

ORDER

IT IS SO ORDERED.

Defendant OMNI WINDOW SYSTEMS, INC. is hereby dismissed with prejudice; each party to bear their own attorneys' fees and costs.

DATED: May 9, 2006

By: 
JUDGE MAXINE M. CHESNEY
U.S. DISTRICT JUDGE